

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MELINDA MARIE DESCHARM,

Defendant.

CR-14-55-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on November 21, 2019. (Doc. 145.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 20, 2019. (Doc. 144.) The United States accused Descharm of violating her conditions of

supervised release by 1) failing to notify her probation officer of a change in employment; 2) by failing to report to her probation officer directly; 3) by failing to report for substance abuse treatment; 4) by using methamphetamine on three separate occasions; and 5) by failing to make monthly restitution payments. (Doc. 141.)

At the revocation hearing, Descharm admitted to the all of the violations except violations 4 and 7. (Doc. 144.) The government did not attempt to prove alleged violations 4 and 7. Judge Johnston found that Descharm's violations warrant revocation, and recommended that Descharm be incarcerated for 5 months, with 12 months of supervised release to follow with the first 60 days of supervised release at Passages inpatient drug treatment facility in Billings, Montana. (Doc. 145 at 4-5.)

The violation proves serious and warrant revocation of Decharm's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 145) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Melinda Marie Descharm be incarcerated for a term of 5 months, with 12 months of supervised release to follow

with the first 60 days of supervised release at the Passages inpatient drug treatment facility in Billings, Montana.

DATED this 5th day of December, 2019.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable. It is positioned above a horizontal line.

Brian Morris
United States District Court Judge

